



Control Number: 51161



Item Number: 8

Addendum StartPage: 0



October 12, 2020

Via Interchange Filer and Email: [CentralRecords@puc.texas.gov](mailto:CentralRecords@puc.texas.gov)

Public Utility Commission of Texas  
Attention: Filing Clerk  
1701 N. Congress Avenue  
PO Box 13326  
Austin, Texas 78711-3326

**Re: Public Notice Verification Documentation  
Docket No. 51161  
Application to Amend Water CCN  
Possum Kingdom Water Supply Corporation (WSC)  
Water CCN 12890**

Dear Sir / Madam:

Docket 51161, Commission Staff's Recommendation on Administrative Completeness, Proposed Notice, and Proposed Procedural Schedule, dated September 11, 2020, Section III, directs the Applicant to provide notices per the Staff's referenced memorandum; the referenced memorandum item 5 states, "File in the docket a map and copy of the notice along with the signed affidavit specifying every person and entity to whom notice was provided, the date that the notice was provided, and the publisher's affidavit for proof of newspaper publication.."

The persons and entities specified in the referenced memorandum Items #1.a-d and Item #2 were mailed a notice using the PUC-provided template notice; each individual notice included an accurate map delineating the required area. Individual notices were mailed on September 21 and 23, 2020; the mailing date for each recipient is documented on the attached Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities and Affected Parties Exhibit A.

In accordance with referenced memorandum Item #1.f, the publications were conducted in a newspaper of general circulation in Palo Pinto County. There is no newspaper that publishes within Palo Pinto County. The Possum Kingdom WSC utilizes the Graham Leader Newspaper for publications since the City of Graham is the nearest city to the Possum Kingdom WSC. Although published in Young County, the Graham Leader is generally circulated in Palo Pinto County. Therefore, this is the newspaper used for the newspaper publications. The required notice was published once each week for two consecutive weeks. The Graham Leader newspaper publications occurred on September 19, 2020 and September 26, 2020.

*Environmental, Civil & Geotechnical Engineers*

**Abilene Office**  
402 Cedar  
Abilene, Texas 79601  
P.O. Box 3097  
Abilene, Texas 79604  
325 698 5560 | 325 690.3240 fax

**Lubbock Office**  
6310 Genoa Avenue, Suite E  
Lubbock, Texas 79424  
806.794 1100 | 806 794 0778 fax  
[www.e-ht.com](http://www.e-ht.com)

**Granbury Office**  
1310 Weatherford Highway, Suite 116  
Granbury, Texas 76048  
682 498 6000 | 682 498 6293 fax  
PE Firm Registration No. 1151  
PG Firm Registration No. 50103  
RPLS Firm Registration No. 10011900

8



The following notice documentation items are attached:

1. The Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities and Affected Parties, signed by the Possum Kingdom WSC (applicant) specifying every person and entity to whom notice was provided and the date that the notice was provided.
2. An example copy of the notice including the map that was provided to each person and entity identified in the Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities and Affected Parties.
3. The publisher's affidavit for proof of newspaper publication in the Graham Leader newspaper followed by a copy of each newspaper publication (tear sheet) copied onto 8 1/2" by 11" paper following the affidavit.

The publication verification information is submitted through the Interchange on the Commission's website prior to the deadline of October 26, 2020. Since the filing is less than 50 pages it is not considered voluminous, no hard copy and no Table of Contents are required as verified during a conversation with Central Records on October 2, 2020 at 10:00 am; in addition, the conversation confirmed that the original affidavits do not need to be mailed to the Commission.

Please feel free to contact me with any questions or comments via telephone at on my cell while teleworking at (817) 694-8382, at the office at (325) 698-5560, via email at [luci.dunn@e-ht.com](mailto:luci.dunn@e-ht.com), or in writing at the Abilene Office address listed below.

**Enprotec / Hibbs and Todd, Inc.**

A handwritten signature in black ink that reads "Luci Dunn".

Luci Dunn, P.E.  
Senior Project Manager

LD/jd

Attachment

c: Project File 7555

P:\Projects\Possum Kingdom\7555 Barndo Partners LLC - Water Ridge Estates\3 Planning Phase\CCN Amendment\Notices\Verification Submittal to PUC\PUC notification verification ltr.docx

## **Attachment 1**

### **Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities and Affected Parties**

# PUBLIC UTILITY COMMISSION OF TEXAS



## AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, LANDOWNERS, NEIGHBORING UTILITIES AND AFFECTED PARTIES

DOCKET NO. 51161

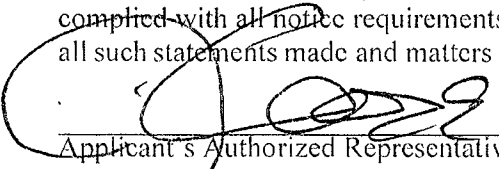
STATE OF TEXAS

COUNTY OF PALO PINTO

Ms. Luci Dunn, P.E., Senior Project Manager with eHT (Consultant), has provided individual notice to the entities, landowners, and customers as listed in attached Exhibit A (1 page).

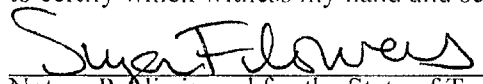
### OATH

I, Jeremiah Gore, being duly sworn, file this form as the General Manager of Possum Kingdom Water Supply Corporation (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have ~~complied with all notice requirements~~ in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

  
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 12<sup>th</sup> day of October, 2020, to certify which witness my hand and seal of office.

  
Notary Public in and for the State of Texas

Suzanne Flowers  
Print or Type Name of Notary Public

Commission Expires 1/17/21

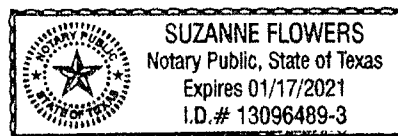


Exhibit A: Affidavit of Notice to Current Customers, Landowners, Neighboring Utilities, and Affected Parties  
Docket No. 51161

Date the following Notices were mailed: September 21, 2020

Brazos River Authority  
P.O. Box 7555  
Waco, Texas 76714

Fort Belknap Water Supply Corporation  
315 Fifth Street  
Graham, Texas 76450

Palo Pinto County Judge Shane Long  
P.O. Box 190  
Palo Pinto, Texas 76484

Ronald Lackey  
5250 Wyndham Ct.  
Abilene, Texas 79606

Therese Bridges Berry  
P.O. Box 261  
Graford, Texas 76449

Travis Delbert Bridges  
18400 N State Highway 16  
Graford, Texas 76449

Denise Milligan  
P.O. Box 8  
Graford, Texas 76449

Mary Kaylea Jones  
802 S Blackwell Ave.  
Tyler, Texas 75701

Earnest Gene Lowe  
16372 N State Highway 16  
Graford, Texas 76449

Date the following Notice was Mailed: September 23, 2020

Barndo Partners, LLC  
2117 Canyon Rock Ct.  
Abilene, Texas 79606

## **Attachment 2**

**Example Copy of the Notice to Current Customers,  
Landowners, Neighboring Utilities and Affected  
Parties including the Map**

***Notice to Neighboring Systems, Landowners, Customers and Cities***  
NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE WATER UTILITY SERVICE IN PALO PINTO COUNTY,  
TEXAS

To: Brazos River Authority  
(Neighboring System, Landowner, Customer or City)  
P.O. Box 7555  
(Address)  
Waco, Texas 76714  
(City State Zip)

Date Notice Mailed: Sept. 21, 2020

Possum Kingdom Water Supply Corporation has filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity (CCN) No. 12890 for the provision of retail water utility service in Palo Pinto County.

The requested area is located approximately 8 miles west of downtown Graford, Texas, and is generally bounded on the north by The Hills Over PK Lake Subdivision; on the east by a line approximately 2 miles west of Dark Valley Creek; on the south by State Highway 16; and on the west by State Highway 16. The total requested area includes approximately 1,096 acres and 0 current customers.

**See enclosed map showing the requested area.**

*Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P O Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.*

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, the landowner's name, address, email address, and fax number, if applicable.

Persons who wish to request this option should file the required documents with the:

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477





# **LEGEND**

REQUESTED CCN AREA  
1,099± ACRES OF REQUESTED AREA



**ENPROTEC/HIBBS & TODD, INC.**  
ENVIRONMENTAL AND CIVIL ENGINEERING  
Abilene, Texas 79601  
402 Cedar Street  
325-698-5560  
PE Firm Registration No. 1151  
P.E. Firm Registration No. 50103  
RPLS Firm Registration No. 10011900

**PROPOSED CCN AMENDMENT AREA**  
**WATER ONLY**  
**POSSUM KINGDOM WSC (WATER CCN 12890)**  
**PALO PINTO COUNTY, TEXAS**

7555

04/21/2020



## **Attachment 3**

### **Graham Leader Publisher's Affidavit and Newspaper Tear Sheets**

# PUBLIC UTILITY COMMISSION OF TEXAS



## PUBLISHER'S AFFIDAVIT DOCKET NO. 51161

STATE OF TEXAS

COUNTY OF Young

Before me, the undersigned authority, on this day personally appeared Timothy J. Malley

who being by me duly sworn, deposes and that (s)he is the

Publisher of the Graham Leader  
(TITLE) (NAME OF NEWSPAPER)

that said newspaper is regularly published in Young County  
(COUNTY/COUNTIES)

and generally circulated in Young & Palo Pinto Counties, Texas;  
(COUNTY/COUNTIES)

and that the attached notice was published in said newspaper on the following dates, to wit:

September 19, 26, 2020  
(DATES)

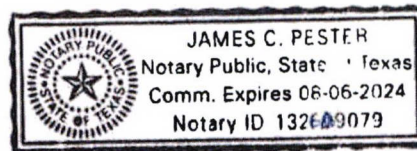
[Signature]  
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 28th day of September 2020  
to certify which witness my hand and seal of office.

James C. Pester  
Notary Public in and for the State of Texas

James C. Pester  
Print or Type Name of Notary Public

Commission Expires 06-06-2024





**Notice for Publication****NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE WATER UTILITY  
SERVICE IN PALO PINTO COUNTY, TEXAS**

Possum Kingdom Water Supply Corporation has filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity (CCN) No. 12890 for the provision of retail water utility service in Palo Pinto County.

The requested area is located approximately 8 miles west of downtown Graford, Texas, and is generally bounded on the north by The Hills Over PK Lake Subdivision; on the east by a line approximately 2 miles west of Dark Valley Creek; on the south by State Highway 16; and on the west by State Highway 16. The total requested area includes approximately 1,096 acres and 0 current customers.

**A copy of the map showing the requested area is available at: Possum Kingdom Water Supply Corporation Office, 1170 Willow Road, Graford, Texas 76449**

*Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.*

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Public Utility Commission of Texas  
Central Records  
1701 N. Congress, P. O. Box 13326  
Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

~~Si desea información en español, puede llamar al 1-888-782-8477.~~

Updated: August 31, 2020



**Notice for Publication****NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE WATER UTILITY  
SERVICE IN PALO PINTO COUNTY, TEXAS**

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Updated: August 31, 2020